INDEX NO. 153154/2023

NYSCEF DOC. NO. Case 1:22-cv-06284-ALC-SDA Document 148-6 Filed 03/22/24 Page 1 of 1 RECEIVED NYSCEF: 11/29/2023

SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

	KATHLEEN WATERMAN-MARSHALL	PART	09M
	Justice		
	X	INDEX NO.	153154/2023
	T EMPLOYEES BENEVOLENT N MILAN, JOEL PURSER,	MOTION DATE	04/26/2023
	Plaintiff,	MOTION SEQ. NO.	001
	- V -		
OF SANITATION, NE	C, NEW YORK CITY DEPARTMENT W YORK CITY CIVIL SERVICE YORK CITY DEPARTMENT OF TRATIVE SERVICES	DECISION + ORDER ON MOTION	
	Defendant.		
	X		
The following e-filed do 11, 12, 13, 14, 15, 16,	ocuments, listed by NYSCEF document of 17, 18, 20, 21	number (Motion 001) 2,	5, 6, 7, 8, 9, 10,
were read on this motion	on to/forARTIC	CLE 78 (BODY OR OFF	FICER) .
employed, and continue performing essentially	matter was recently transferred to Part 9. to employ, Sanitation Workers in out-of the same duties as Sanitation Enforcement reployment violates Civil Service Law §	E-title positions as Sanita at Agents, a titled position	ntion Police – on. Petitioners
employed, and continue performing essentially tallege this out-of-title eraised by this petition, p with the parties' stipula stipulation dated July 1 dismiss no later than As September 4, 2023. How unopposed, petitioners' e.g. Gellert v. Shannon,	the same duties as Sanitation Enforcement the same duties as Sanitation Enforcement employment violates Civil Service Law § poetitioner's failure to oppose respondents attion, constitutes a default and is fatal to the default	f-title positions as Sanitated Agents, a titled position 60. Notwithstanding the cross-motion to dismissible petition. As relevant on to respondents' cross of file reply papers no late equently, the cross-mot dismiss, and dismissal	ation Police – on. Petitioners e significant issue ss, in accordance here, by s-motion to ter than ion to dismiss is is required (<i>see</i>
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OF NEW YORK ET AL Motion No. 001 Page 1 of 1